IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.7532 of 2003

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Mr.J.A.Shekhar i/b.J.Shekhar & Co., for the Petitioners

Mr. R.M. Patne, A.G.P. fr the Respondent No.5.

CORAM : F.I. REBELLO & S.P. KUKDAY,JJ.

DATED : 1st February, 2005

P.C.

. The Respondent bank has a certificate in their favour under Section 101 of the Maharashtra Co-operative Societies Act. On behalf of the petitioners learned Counsel points out that a Full Bench of this Court has taken the view that there is no jurisdiction under that Act for issuing recovery certificate in a sum over Rs.10.00 lakhs. That judgment has been stayed by the Apex Court. In other words it is open to the Authorities under the M.C.S. Act to proceed to make recovery even in respect of the amount above Rs.10.00 lakhs. There is no jurisdictional bar. In the light of

that there is no interference called for.

Writ Petition rejected.

(F.I. REBELLO, J.)

(S.P. KUKDAY, J.)